

Mr. Warner -

Mr. Houston would like to discuss

this with you.

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5. Because of the nature of the Agency's work, strong command authority is particularly essential. The provisions in the bill permitting an employee to bring in private counsel at the very outset of an inquiry into his performance, with the appeal provisions permitting him to go into district court or to the Board of Employee Rights, could cause very real problems. A few dissident employees using either frivolous or false accusations against a supervisor could completely undermine the authority of a supervisor and confront the Agency with a choice between permitting a breakdown in supervisory authority or defending the supervisor in open court, quite possibly necessitating the disclosure of highly sensitive information.

Of even more concern is the provision granting any applicant for employment the right to file suit in district court for alleged violations, or threatened violations, of the provisions of the bill. The Agency in recent years has experienced considerable harassment by dissident minorities in its recruitment efforts on the nation's campuses. Further, it has been brought to our attention recently that dissident minorities have taken advantage of a provision in the Selective Service Law permitting registrants to examine their own files at local draft offices, with the result that in the State of California draft boards are being so severely harassed that they are unable to accomplish any other business.

Recognizing the weapons provided by the appeal provisions of this bill, such dissidents might launch a campaign of litigation virtually paralyzing the Agency's recruiting program and severely straining its administrative resources.